



IFN 1639

Atty. Dkt. No. 045413-0110

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jonathan A. ELLMAN, et al.

Title: PHARMACOPHORE
RECOMBINATION FOR THE
IDENTIFICATION OF SMALL
MOLECULE DRUG LEAD
COMPOUNDS

Appl. No.: 10/029,304

Filing Date: 12/28/2001

Examiner: Jon D. Epperson

Art Unit: 1639

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents, namely References C35, C38 and C40-C42 are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

STATEMENT

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1), References C36-C37 and C39 were first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a

check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date March 21, 2005

By _____

FOLEY & LARDNER LLP
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5143
Telephone: (202) 672-5300
Facsimile: (202) 672-5399

Matthew E. Mulkeen
Attorney for Applicants
Registration No. 44,250

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	10/029,304
Date Submitted: March 21, 2005		Filing Date	12/28/2001
(use as many sheets as necessary)		First Named Inventor	Jonathan A. ELLMAN
		Group Art Unit	1639
		Examiner Name	Jon D. Epperson
		Attorney Docket Number	045413-0110

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	C35	2004/0132100		Ellman, J. et al.	07-08-2004	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	C36	EP	0 523 978 A		La Jolla Pharmaceutical	01-20-1993		
	C37	WO	96/33416		LXR Biotechnology Inc.	10-24-1996		
	C38	WO	93/14108		Abbott Laboratories	05-22-1997		

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	C39	HIOKI, H. and STILL, W.C., "Chemical evolution: A model system that selects and amplifies a receptor for the tripeptide(D) Prol(L) Val (D) Val," Journal of Organic Chemistry, vol. 63, no. 4, 20 February 1998, pages 904-905, published on Web 01/22/1998	
	C40	Cervidil Data Sheet http://www.medsafe.govt.nz/Profs/Datasheet/c/Cevdilpessary.htm	
	C41	MORROW J.D. et al., "Lipid Derived Autacoids and Platelet-Activating Factor" The Pharmacological Basis of Therapeutics, 10 th Ed., Hardman J.G. and Limbird, L.L. Eds., New York: McGraw-Hill, 2001 page 669	
	C42	LAM, K.S. et al., "A new type of synthetic library for identifying ligand-binding activity." Nature, 1991, 354, 6348, pages 82-84	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.